6562

App. F. IX-4

Previous References.

1950-54 (CB)

File No. 360-50

Serial Nos.

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. C.C.

Part B for July 1951.

SUBJECT

Amendment of Certain Provisions of the Indian Constitution.

C.M. 17471-79 (CB. 360-SE-1) 27 Feb. 1954.

Requesting all the Secretaries to send their opinion in regard to the proposed —

WD 010861—GPB—25,000—18-9-50

P. W. SECRETARIAT.
8021
Date 24-2-51

GENERAL & REVENUE SECRETARIAT
6562/C.B
CONFIDENTIAL BRANCH

IMMEDIATE. CHIEF SECRETARIAT, BANGALORE.

21-2-1951.

The Government of India are considering the need for amendment of certain provisions of the Indian Constitution and it is very likely that this question will be taken up by the Parliament which is now in Session in Delhi shortly. It is necessary that this Government should also send its views on some of the provisions which need amendment, to the Government of India very early so that they can be taken note of in working up the proposals at the Centre to be placed before the Parliament.

2) The Secretaries to Government are requested to discuss with the Hon'ble Ministers this question and to send a note in regard to the provisions with which they are concerned to reach the Undersigned before 9 A.M. on 24-2-1951.

sd/- K. Srinivasan,
Chief Secretary to Government.

All the Secretaries to Government)

"Copy"

3) There are no questions pertaining to Public Works Department

Chief Secy) 24/2

CHIEF SECRETARY
24 FEB 1951
GOVT OF MYSORE

4) Collect replies from all departments 25-2 25/2

26/2 2nd 26/2/51

Sri N.P.D.)

Reed 27/2/51

Notes: Re: amendment to Constn

[App. F. III-2

General and Revenue Secretariat | File No. 6562/CB59

WD 010852—GPB—30,000—14-7-50

Serial No.

5) No other secretary has sent a note. A reminder is put up for approval

WTOA 27/2/57

6) Issue today

sonR 27/2/57

27.2.57. No. 17441-79/CB-360-50-1 dated 27th Feby. 1957 - reminds the secretaries to expedite reply at once

7) Replies so far recd. from the Secretaries to Govt. are placed below. None of them have proposed any amendments — Except the Education Secy. who says that the Connected file has been submitted to the Chief Minister.

WTOA 2/3/57

8) So far as C. B. is concerned, it is submitted that with our limited experience of working the Constitution and the short time during which it has been so worked, it does not appear that any amendments are necessary in so far as the provisions with which C. B. usually deals are concerned.

2.3.57.

9) The question of exempting the Mysore State from the operation of Art. 371 is being pursued separately. This does not, however, require any amendment of the Constitution.

Chief Secy) SonR 2/3/57

10) Please compile opinions and note for all Sects. 4/3

CHIEF SECRETARY'S OFFICE 7 MAR 1957 GOVT. OF MYSORE

NOTE—Contn. Sheet.

Notes re: amendment to Constitution

File No. 6562/CB. of 19 . | General and Revenue Secretariat

Serial No.

Submitted

1) The ~~Secretaries~~ Secretaries Concerned and where they were not available the Concerned Dept. Secretaries were personally ~~requires~~ requested to send the notes before 10 A.M. today. The following have not yet sent any reply. 1 Food and Agri. Secy. 2) Med & P.H. Secy. 3) Fin. Secy. 4) PW. Secy. 5) Law Secy. The Edn. Secy has already replied that the file is with Ch. Min^r - It is understood that it is not yet returned. As regards Fin. Deptt. the file is said to be pending before the Fin. Min^r, PW. Secy informed that the file re: Elect. Deptt. has been put up to Law Min^r. & has been sent to Law Secy. Law Secy. is on EL. It is understood that a file re: amendments relating to High Court is pending there. It is said to have been perused by the Ch. Secy.

2) To sum up, Some of the Secys. who have not yet sent any reply have some suggestions to make and the files are pending with the Concerned Min^rs. In spite of personal ~~efforts~~ efforts it has not been possible to compile the replies or to put up a note.

3) Refce. para 10.

WPD 3/3/57

Chief Secy)

3.3.57.

KMR 3/3/57

(Chitnis)

3/3 12.10 pm.

Office of the Chief Minister
No. 10632
Date of Receipt 3/3/57

Note - re: amendments to Constitution (161)

General and Revenue Secretariat | File No. 6572/eB19 & 191/ets | [App. F. III-2

WD 010852—GPB—30,000—14 7-50

Serial No.

1957

5457/law

15) A note re amendment to the Constitution may be prepared very early in the light of proposals received from the various Branches and sent to Govt of India for their consideration. The matter may be deemed as very urgent

Rao
7/4/57

Subs

16) Files bearing Dy Nos. 191/ets. (3976) 71
7413/Estn. and 4957/ets. (Law) are herewith linked. They may be sent to Law Deptt. in the first instance for examining whether the amendments suggested are suitable and to propose a self-contained draft amendments to the Constitution in respect of each of the Articles of the Constitution to which amendments are considered necessary.

HDD
16/4/57

16/4/57

17) For perusal before passing on the file to the Law Secy

Chief Secy)

16.4.57.

CHIEF SECRETARY
411
16 APR 1957
GOVT OF MYSORE

May be done. P.A.S to the Hon. Mins

to be reminded about the files said to be pending with the Hon. Mins and on receipt of files, the same to be sent on to the Law Secy as and when received.

17.4.57.

Law Secy)

17/4

NOTE—Contn. Sheet.

Note re amendment to Constitution 4957/Law/39

File No. 6562/C.B of 19 | General and Revenue Secretariat

Serial No.

1) So far no other files on the subject apart from the files sent from the Chief Secretariat have been received in the Law Branch

2) As regards the necessity for amending the Section Article 19 Clause (2), 85, 86 & 228 of the Constitution, this necessity has been explained in the note submitted by the Law Secretariat

3) The necessity for amending Article 29(2) of the Constitution has been explained by the Education Secretariat. The amendments suggested by the Education Secretariat may contravene the provisions of Article 16 (1, 2, 3 & 4) of the Constitution and it is for consideration whether the amendments suggested by the Government of India Education Secretariat may be conveyed to the Govt of India

4) The necessity for amendment of Article 286 (1)(a) (2) of the Constitution have been explained by the Note from the Financial Secretariat. This may perhaps be conveyed to the Govt of India

5) The file may perhaps be returned to the Financial Chief Secretariat

13/8/57

Rao 14/8

Serial No.

It is submitted that each Administrative Secty has its own subjects coming under the purview of the Constitution and it may not be correct if the Law Branch attempts to put up a consolidated draft embodying the suggestions of every branch of the Secty, as suggested by the Chief Secty. The special and peculiar conditions of every item in respect of which an amendment is necessary, are best known to the particular branches to which such subjects relate.

GPB 15/5/17 A draft is however sent herewith

Secretary 24/5

25) the Hon'ble Prime Minister has actually introduced in Parliament the Bill to amend the Constitution and the Bill is also referred to a select Committee, It is perhaps now too late for us to suggest any fresh amendments. It is also to be noted that the Bill before the Parliament practically provides for amendments considered in this & the linked files, except that as regards art 286 & art 228 - As regards art 286 (Sales Tax), there now appears to be no possibility of getting it amended as proposed by the Fin Secy & we are taking action to on the other hand, to amend the Sales Tax Act to conform to

LAW DEPARTMENT 1757 19 MAY 1951

NOTE—Contn. Sheet.

Misc. — amendments to Constitution

File No. 495 / Law of 19 .

General and Revenue Secretariat

Serial No.

Office of the Chief Minister
No. 1560
Date of Receipt 29.5.51

art 286 - Referring art 228, I do not see the need for the amendment as proposed -

Chief Secy) Asst 21/5/51

MM 21/5.

CHIEF SECRETARY 1579 21 MAY 1951 GOVT. OF MYSORE

26) The Select Committee's recommendations also seem to have since been made by Parliament.

27) The Govt of India have, I think, indicated in another connection, that the omission of art 286 (2) Sales Tax on entry into have, would not be acceptable.

28) In the circumstances indicated by the Law Secy, the question of suggesting amendments of the Constitution may be dropped.

(Ascertained that the file has been sent to Hon'ble Min vide D No 591 on 26-5-51 from H Br)

29/5/51

Min' for Law
Ch. Min'

29/5

30) Recd 4/6/51

Office of the Chief Minister
No. 1874
Date of Receipt 3.6.51

CHIEF SECRETARY 4 JUN 1951 GOVT. OF MYSORE

4/6/51

Sri H Br)

Amendment to Constitution
1952/Govt

4957 [illegible] 399

32) The file may be passed on to the Law Branch, and the Finance Branch and the Education Branch for noting the orders in paragraphs 26 to 30 retaining their file and returning this file.

Under Secy. Law
Asst Secy, Fin
Asst Secy Edn

8/6/57
8.6.57.

33) 11.6.57

34) 11/6

35) The extracts of the orders passed at paras 26 to 30 have been taken and the file relating to the amendments to Article 19(2) of the Constitution of India ~~locked up in the~~ pertaining to Law Branch has been retained in the Law Branch.

36) The file may now be referred to the Financial ~~Secretary~~ Branch ~~for~~

14/6/57 14/6

37) Asst. Secy (Imm))
14/6.

38) For perusal
14/6

39) 16.6.51.

F.D.

1685/E

Amendments to Constitution

6564/CB

40) Extract of paras 26 to 28 is taken and placed in the file Branch file which is distinked from this.

These papers may now be passed to the Education Branch.

(Educ (BV)

27/6/51

41) Submit for perusal before releasing this file to Compl Branch. Extracts of paras 25 & 30 have been taken.

27.6.51 (Con Secy) 28/6

42)

43) Seen 30/6/51

3/7

44) This may be returned to C.B.

2.7.51 45) Asst Secy / Chief Asst 3/7

46) Please see orders at para nos. 28, 29 & 30. If approved, this file will be closed and recorded as 'B' collection.

MB 4.7.51

4.7.51

Yes 4/7/51

GENERAL & REVENUE SECRETARIAT
23 JUN 1951
EDUCATION BRANCH

GENERAL & REVENUE SECRETARIAT
25 JUN 1951
1685/E
EDUCATION BRANCH

GENERAL & REVENUE SECRETARIAT
CONFIDENTIAL BRANCH

Appendix F G—1] No. 4

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 194 .

Date of issue.....

Signed by.....

~~An immediate reply~~ is ~~requested~~.

If Secretaries have no proposals to make in this behalf, they may intimate the same to the Chief Secy. at once

List of enclosures.....

Copied by .....

Examined by .....

Top Priority

Section

File No.

Serial No.

20 copies

No. 17471-79/CR·360·50-1

~~To~~ Date 27-2-57

O. M.

The attention of the Secretaries to Govt. is invited to the note of the Chief Secretariat dy 21.2.57 re: proposals for amendments to the Constitution - with a request for an immediate reply. ~~with which they are concerned~~ to reach him - ~~before 9 A.M. on 24-2-57. They are again requested to send~~ So far many of them have not yet sent them. They are again requested to send them without further delay

for Chief Secy 27/2/57

WD 02703—GPB—17,000—28-4-48

27.2.57 27/2/57. The Secretaries to Govt. Copy to Home D.O.

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA OF~~ MYSORE.

SECRETARY, DEVELOPMENT DEPARTMENT
27 FEB 1951
GOVERNMENT OF MYSORE

General and Revenue Secretariat,

No. 17471-79/C.B.360-50-1 Dated Bangalore, 27th February ~~1951~~ 1951.

TOP PRIORITY

OFFICIAL MEMORANDUM.

The attention of the Secretaries to Government is invited to the note of the Chief Secretariat dated 21st February 1951 regarding proposals for amendments to the Constitution with a request for an immediate reply.

If Secretaries have no proposals to make in this behalf, they may intimate the same to the Chief Secretariat at once.

GENERAL & REVENUE SECRETARIAT
6646/C.B
28 FEB 1951
CONFIDENTIAL BRANCH.

T. Con. Ramakrishnaiya
CHIEF SECRETARY TO GOVERNMENT.

To

The Secretaries to Government.

LC/10

No amendments appear necessary so far as Industry is concerned
Ch. Secy

C. F. 74:] WD 03286—GPB—25,000—1-8-48

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Reference:- No.17471-79/C.B.360-50-1, dated, 27th February 1951, from the Chief Secretary to Government.

There are no proposals for amending the constitution of India, from the Rev. Secty

Chief Secretary.

28/2

GENERAL & REVENUE SECRETARIAT
6645/C.B.
38 FEB 1951
CONFIDENTIAL BRANCH.

Sri H-28)

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GENERAL & REVENUE SECRETARIAT 28 FEB 1951 EDUCATION BRANCH

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

27 FEB

NO. 17471-79/G.B.360-50-1 Dated Bangalore, 27th February 194 1951.

TOP PRIORITY

OFFICIAL MEMORANDUM.

The attention of the Secretaries to Government is invited to the note of the Chief Secretariat dated 21st February 1951 regarding proposals for amendments to the Constitution with a request for an immediate reply.

If Secretaries have no proposals to make in this behalf, they may intimate the same to the Chief Secretariat at once.

GENERAL & REVENUE SECRETARIAT 28 FEB 1951 7563/E EDUCATION BRANCH

Hon. Ramakrishnaiya
CHIEF SECRETARY TO GOVERNMENT.

HPD

To

The Secretaries to Government.

LC/10

The Connected file has been Submitted to the Hon'ble Chief Minister.

2) Chief Secy) 27/2/51

GENERAL & REVENUE SECRETARIAT 6642 28 FEB CONSTITUTIONAL BRANCH

2
27.2.51

Sri HPD

GOVERNMENT OF ~~HIS HIGHNESS THE MAHARAJA~~ OF MYSORE.

General and Revenue Secretariat,

No. 17471-79/C.B.360-50-1 *Dated Bangalore* 27th February ~~1950~~ 1951.

TOP PRIORITY

OFFICIAL MEMORANDUM.

The attention of the Secretaries to Government is invited to the note of the Chief Secretariat dated 21st February 1951 regarding proposals for amendments to the Constitution with a request for an immediate reply.

If Secretaries have no proposals to make in this behalf, they may intimate the same to the Chief Secretariat at once.

Sd/- T. Siva. Ramakrishnaiya
CHIEF SECRETARY TO GOVERNMENT.

HPD

To

The Secretaries to Government.

1363 Rev. 27/2

LC/10

There are no proposals from me in respect of my Department.

Ms
27/2/51

Chief Secy

Sd/- H.P.D.

CHIEF SECRETARY 20 FEB 1951 GOVT. OF MYSORE

Official Memorandum No.1747-1-79/C.B.360-50-1
dated 27th February 1951.

The attention of the Secretaries to Government is invited to the note of the Chief Secretariat dated the 21st February 1951 regarding Proposals for amendments to the Constitution of India, with a request for immediate reply.

.....

So far as the departments concerning the Secretary to Government, Local Self-Government Department dealt with in the Special Revenue Branch, are concerned, there are no proposals for amendment of the Constitution. This information may be sent to the Confidential Branch, as desired by them.

Official Memorandum No. 1747-1-79/C.B.360-50-1
dated 27th February 1951.

The attention of the Secretaries to Government is invited to the note of the Chief Secretariat dated the 21st February 1951 regarding proposals for amendments to the Constitution of India, with a request for immediate reply.

.....

So far as the departments concerning the Secretary to Government, Revenue Department, dealt with in the Special Revenue Branch, are concerned, there are no proposals for amendment of the Constitution. This information may be sent to the Confidential Branch, as desired by them.

Official Memorandum No. 1747-1-79/C.B.360-50-1
dated 27th February 1951.

The attention of the Secretaries to Government is invited to the note of the Chief Secretariat dated the 21st February 1951 regarding Proposals for amendments to the Constitution of India, with a request for immediate reply.

.....

So far as the departments concerning the Secretary to Government, Development Department, dealt with in the Special Revenue Branch, are concerned, there are no proposals for amendment of the Constitution. This information may be sent to the Confidential Branch, as desired by them.

Official Memorandum No. 1747-1-79/C.B.360-50-1
dated 27th February 1951.

The attention of the Secretaries to Government is invited to the note of the Chief Secretariat dated the 21st February 1951 regarding Proposals for amendments to the Constitution of India, with a request for immediate reply.

.....

So far as the departments concerning the Secretary to Government, Food and Agriculture Departments dealt with in the Special Revenue Branch, are concerned, there are no proposals for amendment of the Constitution. This information may be sent to the Confidential Branch, as desired by them.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat,

No. 17471-79/G.S.360-50-1 *Dated Bangalore,* 27th February 1951.

TOP PRIORITY

OFFICIAL MEMORANDUM.

The attention of the Secretaries to Government is invited to the note of the Chief Secretariat dated 21st February 1951 regarding proposals for amendments to the Constitution with a request for an immediate reply.

If Secretaries have no proposals to make in this behalf, they may intimate the same to the Chief Secretariat at once.

Jim. Ramakrishnaiya
CHIEF SECRETARY TO GOVERNMENT.

HPD

To

The Secretaries to Government.

Copy to: (1) Home Department.
(2) Office Branch.
(3) Confidential Branch.

LC/10